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The Life and Times
of
Sir Richard Southey, K.C.M.G., etc.



Richard L. L. L.

R. Louthey middle age.

K.C.B.O., 1867

THE K.C.B.O. BUREAU OF THE NEW YORK
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APPENDIX

NEW YORK



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R. Louthery - middle age.

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To
SIR GILBERT PARKER, M.P.
CHAIRMAN OF THE IMPERIAL SOUTH AFRICAN ASSOCIATION
THIS BIOGRAPHY
OF
A TRUE AND LOYAL SUPPORTER
OF
THE EMPIRE IN SOUTHERN AFRICA
IS RESPECTFULLY
DEDICATED

A. WILMOT

LONDON, 1st October, 1904

Agitation, where no doubt Mr. Southey acted more as an adviser than as a partisan. Sir Harry Smith had not long returned from the Orange River Sovereignty, when a despatch was received from the Secretary of State dated 19th March, 1849, stating that "ticket-of-leave men" were to be sent out who were to be free to work on their own account, but must reside within prescribed districts. This was done under an Act of Parliament (5 Geo. IV.) empowering the Sovereign, with the advice of the Privy Council, to appoint any Colony for the reception of convicts sentenced to banishment beyond the seas. Both Sir Peregrine Maitland and Sir Harry Smith were in favour of advantageously employing convicts on public works, and the Colonial Minister, unfolding the plan of Her Majesty's Government, pointed out with what eagerness convicts on probation were engaged for service by resident proprietors at Port Philip in Australia. Indeed, it was as a favour that the Cape was included among the Colonies to which this class of people might be sent.

It must, however, be admitted that the nature of the Colony, as well as the habits of the Colonists, rendered it an unfit country for the introduction of men versed in, and convicted of, felonious pursuits. Far separated homesteads, a sparse population, primitive habits, half-civilized coloured people, seemed, as it were, to open doors of opportunity. An instantaneous panic was the result. Dean Newman tells us that the Colony, quiet and unruffled as its own Table Bay in a summer calm, immediately on the spreading of a rumour that it was even thought of as a penal settlement, became like that same bay when a strong and sudden south-east wind swept down upon it. Committees of Vigilance and Defence were speedily formed. Petitions, memorials, and private representations poured in. Resolutions were carried at public meetings and at synods of religious bodies, while strong adverse opinions, expressed not only in Cape Town, but in various towns within the Colony, were forwarded

to the Home Government through Sir Harry Smith the Governor.

The dreaded *Neptune*, with the dreaded ticket-of-leave men, arrived in Simonstown on 19th September, 1849. So great had been the pressure brought to bear upon the Governor, that His Excellency refused to accept the consignment of the vessel, and directed that the entire charge of the ship should devolve on the Naval Authorities.

The Executive Council approved of Sir Harry Smith's measures, and agreed with him in thinking that to dismiss the *Neptune*, or change her destination, was beyond the limits of his authority.

The most extreme measures had been taken by the Anti-Convict Association, but as His Excellency gave a pledge that he would resign his office rather than assist in carrying out any designs for landing the convicts, a great disposition was shown to withdraw the interdict against supplying the Navy with provisions. Hitherto the Dutch and British Colonists had acted together, but now a breach took place between them—the former even caused operations to be extended by including not only the Navy but the whole body of the Executive and Judicial agents of the Government in their interdict. Feeling ran exceedingly high, and, considering that the Home Government meant well, and that the Governor was doing all in his power to prevent convicts being landed, it is difficult to excuse the extreme ferocity which characterized the latter stages of the movement. Although Mr. Montagu held from the first that the Colony was not adapted for the reception of ticket-of-leave convicts, he considered that the 300 convicts should have been landed and placed in the Amsterdam Battery until the decision of the Imperial Government could be received. These were the days of loyalty and of implicit obedience. On the occasion of replying to one Anti-Convict deputation, Sir Harry Smith said—

"This is the anniversary of the battle of Waterloo. For four-and-forty years I have served my Sovereign. I say it with pride; and I would rather that God Almighty should strike me dead than disobey the orders of Her Majesty's Government, and thereby commit an act of open rebellion."

When the Secretary of State for the Colonies became acquainted with the subject, he changed the destination of the *Neptune* to Van Diemens Land (Tasmania), as might have been anticipated. He had been certainly under the impression that he was bestowing a favour, and when those upon whom he desired to confer a benefit declined to accept it, there was no attempt whatever made to press it upon them. Mr. Southey, of course, took no active part in the agitation, but there is little doubt that he sincerely sympathized with Sir Harry Smith, and assisted him with his advice.

As illustrative of the politics of these days, and interesting in themselves, we publish the following extracts from letters written by Mr. Godlonton, Mr. Cock, and Mr. Ziervogel. The two former gentlemen were for many years Members of the Legislative Council of the Cape Colony, and the last-mentioned became a distinguished Member of the House of Assembly. The name of Mr. Godlonton is inseparably connected with that of the *Grahamstown Journal* and the Newspaper Press, while Mr. Cock was the first and greatest advocate of the claims of the Kowie River mouth (Port Alfred) to be made one of the principal ports of South Africa.

Mr. I. R. Ziervogel, writing to Mr. A. P. Rubidge (Graaffreinet, 23rd July, 1849)—

"With regard to your animadversions upon the conduct of the Colonists generally, which you seem to construe as intended to be offensive to Sir Harry Smith personally, I must observe that they do not appear to be necessarily called for by, and cannot apply to, anything you heard from me; they certainly are

not called for by, and cannot apply to, the resignation of myself and the other Justices of the Peace with whom I joined in that act, as the letter containing our resignations, and of which I sent you a sketch, explicitly and simply states that we resign because we are sensible of the injury done to the Colony by its being made a penal settlement under the order of the Queen in Council, and feel that under the circumstances we can no longer hold the appointment with any satisfaction to ourselves or advantage to the public, without containing a single reflection upon Sir Harry Smith, even as Governor.

"But in order that what I thus say may not be misunderstood, I will add that, though in common with others I expected much good to result to the Colony from Sir Harry Smith's appointment as its Governor, and though few people can more heartily than myself have wished him well, I do not admit that the most grievous wrong which the Government can do to the Colony, if but done by or through his agency, is therefore not to be opposed or resisted, lest any act tending to evince such opposition or resistance should be held to be offensive to him personally."

"Grahamstown, 20th February, 1849.

"MY DEAR SOUTHEY,—

* * * *

"I am gratified that you saw my scribble to Sir Harry, to whom I wrote very frankly. And when I told him I was jealous of my own personal feelings when treating of his policy, I merely stated a fact which I had continually made abundantly manifest. As a sample in point, I enclose for your amusement a testy epistle from Rice Smith of Sidbury [telling him to stop his paper, as he was no admirer of Sir Harry Smith], who had a good deal of influence in that neighbourhood. But none of these things move me. In stating my sentiments I do not affect disguise, and I would sooner find myself shorn of every means of support I possess than sacrifice to clamour one single iota of the conscientious convictions of my own mind.

* * * *

"Yours, etc.

"R. GODLONTON."

"Grahamstown, 17th April, 1849.

"MY DEAR SOUTHEY,—I have your favour of the 11th instant, and in reply may remark that I have looked with considerable attention through the Masters and Servants Blue Book. My convictions do not accord with yours on the subject of vagrancy. I do not see any insuperable difficulty in the way of an enactment on the subject, and am persuaded it would be attended with infinite advantage to the whole Colony, and more especially to the coloured classes. At the same time I would not trust the Dutch, nor many of the English, further than one can see them. The evidence contained in the Blue Book in favour of a vagrant law is quite overwhelming.

"We had a meeting yesterday in the Court House on the subject of the expected exiles. There was a good attendance; and among others Advocates Ebdon and Watermeyer, and some other visitors from Cape Town. The meeting was unanimous, and the resolutions, out of which I knocked two or three strong adjectives, go down to Sir Harry to-day. I was entrusted with the second resolution, the most pithy of the lot, and had to abuse Lord Grey to the best of my poor ability, which was, *of course*, received 'with the greatest applause.' Cock would not come forward at first, screening himself behind his Legislator's mantle; but at length he got 'wrathy,' and fired away with the best of us.

"In Compensation Claims (for losses in war) Committee I may assure you I do not spare myself. The worst of it is the confinement almost knocks me up. I rise at daylight, write till breakfast, attend the market; from there to my office, scribble for an hour for the journal; then to the Board, where I sit, without moving from my chair, for six hours; home to dinner; back to my office, and write till ten. This routine, day after day and week after week, gets tiresome, and affects the health and spirits materially. We are obliged to discontinue our sittings for the present on account of the Circuit Court, but shall resume directly the Judge takes his departure.

"R. GODLONTON."

"Grahamstown, 10th July, 1849.

"MY DEAR SOUTHEY,—I quite agree in your remarks about Sir Harry, and cannot help thinking that the Cape Town people

have taken leave of their senses. The people here are mad enough, but not quite so frenzied as the Capeites. I enclose you a couple of 'Supplements,' by which you will see that the Governor was treated more fairly here than by the people of your city. I had not designed to take any part in the proceedings, but I was moved from my purpose when I found that Jarvis referred to Sir Harry, and I at once seconded him by stating my own convictions on the subject. This and my publication of Porter's speech has given a turn to public opinion here; even old James Temlett, a bit of a Radical, but an independent man, telling me after the meeting, 'Well, you know, I was never a great admirer of Sir Harry—I never liked his noise and nonsense; but he never stood so high in my estimation as he does at this moment. I think his conduct in this Convict business has been most straightforward and honourable.' I quote this because it is the opinion of a man of plain manners, and who is held in repute for his general good sense and strong natural understanding. Mr. Clough, whose name you will see in the proceedings, and who is a man of similar character, holds the same opinion on the subject.

"Blaine, Franklin, and others, wished to push the matter against Sir Harry; but they found it would not do, and preserved silence on the subject. You will, I think, be amused by the attack on me. I rather shook the nerves of my assailant, and trampled out his opposition in a moment. In my report I have treated the subject softly, as it was not an object with us to keep up any acerbity of feeling, and especially as, after the meeting, the party came to me and apologized for his foolish conduct. I must look into the matter of the discretion exercised by Governors Fitzroy and Dennison. I do not think the case of Sir Harry at all analogous to theirs.

"I did not tell you, I think, that I received a week or two ago a letter from our good old Governor, Sir Benjamin D'Urban, dated from Lower Canada, 20th February, in which he pronounces Stockenström's attack upon him 'Calumnies alike unfounded and malignant.' I transcribe a part of the letter, as I think that it will gratify you, and especially as any thanks given to me are in part your own. It is as follows:—

"'You are, I trust, convinced how deeply I must feel obliged to you for the disinterested and powerful defence which you

have made for me in my absence against calumnies as unfounded as malignant, which, although I could fain flatter myself they could have made no impression upon those to whom I was known publicly or privately, in South Africa might have carried perhaps the opinions of those who knew me not. If I have been delivered from this misfortune, I owe it to your gratuitous protection, which, when I read the *conclusive* and unanswered exposition in your supplement of 19th August last, I cannot doubt will have amply succeeded in its generous purpose, and which, be well assured, I can never cease to bear in mind and be grateful for.—Yours, etc., B. D'URBAN.'

"R. GODLONTON."

"Grahamstown, 21st July, 1849.

"MY DEAR SOUTHEY,—

* * * * *

"Yours of the 16th has reached me safely, but your enclosure I thought best to reserve for future use, as also the one per previous post. I have also seen a letter of Cock's to his son, and am glad to find that he maintains his position firmly. For myself, I cannot sufficiently explain to you my own indignation at the disgraceful proceedings in Cape Town, and would not give them countenance even to save my existence. I have thrown together a few hasty remarks, which you will find in my postscript of to-day's *Journal*, and which give my views pretty distinctly upon the entire question. Give my most respectful compliments to Sir Harry, with my assurance that no power on earth shall induce me to view his conduct save in what I consider to be the full light of truth and honesty. Of course, I expect to come in for a share of abuse, and to be subjected to loss and inconvenience; but this consideration does not move me, so long as I am sustained by a conviction of right and a sense of having discharged my duty fearlessly and independently.

"R. GODLONTON."

"Grahamstown, 21st September, 1849.

"MY DEAR SIR,—

* * * * *

"I am glad to learn that Mr. Porter is interesting himself respecting the land for compensation to the sufferers by the late Kafir Wars. I trust the Board will be able to make its

Report shortly. The business of the Board has fallen very heavily on Godlonton and myself. I am most anxious that the spirit of His Excellency's minute on compensation should be carried out. I am well assured that there are those who would be glad to have an opportunity to say that His Excellency was not sincere in the sentiments expressed in the minute. That the Stockenström party will do all the mischief they can I have not the least doubt, but they are neither numerous nor influential. The address to the Governor will be numerously signed; there is not one farmer in fifty on the frontier but is a strenuous advocate of the Governor's measures. Stockenström appears to have availed himself of the excitement arising out of the Convict question to serve his malignant feelings. But it will not do here; the people know better; experience tells them that it is for their interests that the present system should be persevered in. With a continuance of the present tranquility as regards Kafirs and a port on our coast, then Albany will go ahead in a manner which will astonish the other end of the Colony. *We have an extensive field for enterprise, and men bold and persevering for opening up the resources of the country.* Let this end of the country but obtain *its fair proportion of aid* from the local Government, and it must and will prosper (not that I am judging from the past, or sanguine on this point). I am persuaded that, had there been an independent Lieut.-Governor on this frontier—a man interested in the prosperity of the country—matters would be very different with us. I believe Sir H. Smith entertains the best feelings towards the frontier inhabitants, and would rejoice in their prosperity; but I, at the same time, think that if his residence were on the Frontier, he would be the more frequently reminded of our wants, and stimulated to do more for us than he will do residing at a distance of 600 miles. The interest of this Frontier has been without doubt seriously neglected. Everything has been done for the other end of the Colony. 'Hope deferred maketh a man sick.' Nearly thirty years have passed away since the settlement was first formed—towns and villages have sprung up as if by magic. When does the Governor propose to visit Grahamstown? Has any arrangement been made for Selwyn Castle?

"Yours truly,
"W. COCK."

CHAPTER IV.

Mr. Bailey on the convict question—Mr. Godlonton's letters—Sir H. Smith—
Southey Civil Commissioner of Swellendam—The war of 1850-2.

THOSE who know the position Mr. T. B. Bailey held in the Colony as a leading farmer and politician will see the desirability of inserting the following letter from him, dated, "The Oaks, December 11th, 1849." He says—

"MY DEAR SOUTHEY,—You say it is time for English gentlemen to come forward and put an end to the present agitation. You may rely upon it that such would quickly be the case if the agitation had been caused by any other business than the Convict question. From what I know of the Moderate party, I am convinced that they do abstain from open collision with the violent, lest they should by any possibility lead Lord Grey or the English people to suppose that there was any difference of opinion amongst the Colonists about *the reception of the Convicts*. Rather than tolerate a show of discussion on the vital point, we forbear from active measures against those whose proceedings we repudiate. Lord Grey is a man who would take any advantage of us, and he would be supported by *many* of the *English Philanthropists*, if it could be shown by any possibility that the Cape people were *divided in opinion* about the Convicts.

"It seems clear enough that Messrs. Sutherland, Truter, Fairbairn & Co. are fully aware now of the absurdity of the pledge, according to their interpretation of it. They see it cannot be worked according to their ideas, and they find themselves within the coils of the law. I heartily hope they will get a boa-constrictor squeeze, for they are only working now for their own personal ambition, and for pecuniary considerations. The real object of Wicht, Truter & Co. is to promote Dutch ascendancy and accustom the Afrikander to public meetings,

agitation, and political feuds. I should like to know what Sir Harry thinks now of a *Representative Assembly*, and what kind of a thing it would be if established now. The same machinery which rules the acute Convict Association (so called) would ensure the return of nineteen Afrikanders and one Englishman, *and what would be the result?*

"John Linde says that masses of his neighbours are on bad terms with him, and I know that Shaw and myself and all of us who did not take a share in the Caledon Meeting have been denounced as suspicious characters.

"Yours,

"T. B. BAILEY."

The following letters are illustrative of contemporaneous history in the Cape Colony:—

"Grahamstown, 9th October, 1849.

"MY DEAR SOUTHEY,—I have yours of the 29th ult. and 3rd inst., and am rejoiced to find that matters have taken so favourable a turn. You will see in the *Journal* a pithy letter on the subject of the last Cape Town 'Monster Meeting,' which I expect will cause a *sensation* among the Cape Town Ultras. I need not say who is the writer; *you* will guess that at once by the style. I am prepared for lots of abuse. In the *Journal* (those just printed) there is a little obscurity in the paragraph towards the bottom of the column referring to Dr. Adamson. As it stands, many will understand it to affirm that Dr. Adamson said on the platform, 'There stands the traitor,' etc., referring to Fairbairn. This simply arises from the blunder of the compositor in transposing a parenthetical mark, which, the moment I discovered, I corrected, as you will see by the copy of the *Journal* I send you to-day. I transmit it lest Dr. A. should complain, and then, should you have opportunity, you can show that the obscurity has been cleared up. I look upon the secession of Rutherfordord as a great triumph, and cannot doubt his being followed by other *honourable* men. Norden may do very well, but you must take care to keep him in his place, and Sir Harry, above all things, must not have anything to do with him which he would not wish to have made public. Our Ultras here are coming down a pace, and even Birkenruth and Kift are *thawed*, and recognize me with a sunny smile as usual.

"I have seen a good deal of Sir John Wylde this Circuit, and showed him two of your late (not the latest one) letters, with which he was greatly amused. The Port Elizabeth people treated him like brutes, and deserve never to have a Judge go near them any more. The best way to punish them is to open the Kowie, and then make us a good straight road to Cradock.

"I had two meetings with Mr. Montagu during his brief stay, both of which were very gratifying, though the latter one with the 'Board of Claims' was not quite satisfactory. The first one was about the printing, and after a good deal of discussion we came to the following understanding: M. is to transmit a letter to the Cape, requesting that, in reply to our letter, the following proposal shall be made:—

"1. To allow £100 per annum for printing and advertisements, taking in the new districts of Albert and Victoria.

"2. The financial forms to be printed in and sent from Cape Town.

"3. British Kaffraria and the Sovereignty to advertise in the *Journal*, and to be paid for separately as heretofore.

"I have engaged to agree to this proposal, and thus the other party have 'burnt their fingers' in meddling with the matter at all. Nothing has been said to me, but Meurant called upon my nephew in the evening. He told him that I had accepted a proposal made by Mr. M. without reference to 'the Grensblad,' and he (Meurant) went off in great anger for the purpose of seeing Mr. M. The result I know not, nor have I made a single inquiry on the subject. I was exceedingly sorry to hear from M. that Sir Harry remains but very poorly. I should like to see him among us here. He is too much worried in Cape Town.

"You mention the Cape Corps mess-house—and I think that at about the same expenditure of money as he would have to pay rent for a private house it might be made very comfortable. An extra room or two might be run up in the course of a fortnight, and furniture may be readily hired. I doubt not the change of air would be of immense service to him, but still more the absence of that excitement which must necessarily be occasioned by the state of affairs in Cape Town. A ride into Kafirland would do *him* good, and I'm sure would be of great political advantage to *us*.

"Montagu only stayed one day with us. He looked

remarkably well, though I'm told he met with some rough treatment along the road—the parties telling him, not that they had any bad feeling towards him, but that they were disaffected towards the English Government, the very natural effect of the proceedings of the Cape Town Ultra Convictites.

"Advocate Ebden was terribly chop-fallen while here. I gave him the cut direct—treated him as a stranger, and burked his name in my report of the cases. He is, I am told, dreadfully mortified.

"I have nothing from your brother William, and conclude he is on his way from Natal.

"Ever truly yours,

"R. GODLONTON."

In another letter, in a postscript, Mr. Godlonton says :
"Kind regards to Cock, who must take over Bower Coates' motto, 'While I live I'll crow.'"

In another letter he says that "He is delighted to hear Sir Harry is to take up his abode among us for a time." He goes on to remark, "After all, this frontier is the pivot upon which turns the future prosperity of South Africa."

Pressure is evidently brought to bear on Mr. Advocate Ebden, as he writes—

"Private and Confidential.

"MY DEAR SOUTHEY,—They are beginning to bring the Inquisitorial power in force against me, and to try and turn me out of 'The Mutual' for acting professionally. I am determined to die game, and to contest the battle. It occurs to me that the Grahamstown people can give great assistance, and if you could make my peace with the editor of *The Grahamstown Journal* the cause would gain strength.

"Yours sincerely,

"J. B. EBDEN."

The following long and interesting letters were written by Mr. Godlonton in the first session of his service as a member of the Legislative Council :—

"Roesch's, Cape Town, 16th September, 1850.

"MY DEAR SOUTHEY,—I was accidentally prevented from writing you by last post. I had you on my list, but in the very midst of my scribble I got a note from Garvock to the effect that the Governor wished to see me. I hurried to Government House, where Sir Harry detained me for a couple of hours, by which I had barely time to post the letters I had previously written. You will have seen, ere this reaches you, our proceedings in Council, which are—or, at least, the preliminary portion of them, in which I am concerned—reported with tolerable accuracy in the papers, though not free from blunders. You may well suppose that my mere introduction—stranger as I am here—into Council would be a rather nervous affair, but to know that I had organized against me, on the very threshold, the joint opposition of the Baronet, Fairbairn, Brand, and Reitz, made it still more so. Add to this that I was labouring under a most distressing nervous bilious attack, occasioned by my sea voyage—everything appearing to be in motion, the very room in which I stood, and the desk at which I wrote, appearing, to my imagination, to be rocking to and fro. However, I am glad to say that, amidst it all, I was enabled to retain my self-possession, and, from a feeling of conscientious rectitude,* so to defend myself and baffle and defeat the object of those who attacked me.

"I now begin to feel my feet. We have since had some very earnest and animated debates, and I now discover that I have not got amongst such monstrous giants as at a distance they appeared to be. The Attorney-General has throughout behaved nobly, ably, and generously. He has warmly defended the interests of the Eastern Province, and the people there owe him a debt of gratitude which I cannot express. Fairbairn is a perfect Jesuit in editorial garb. His speech, occupying a full hour, in favour of a non-property qualification for members of the Upper Chamber, was, in my opinion, destructive of all property and of all stability throughout the country, and I am quite sure that, had he carried his point, we should have been at the mercy of any designing demagogue who might have started as a political

* Mr. Godlonton was nicknamed "Moral Bob" by those who did not admire him.

adventurer. Fortunately for the Colony, he was ably met by Porter and Montagu. The speech of the latter was a masterly exposition of the whole case, and a really affecting appeal to the public mind against the reception of such doctrines as those broached and supported by the speaker I have named, whose position, in my opinion, he demolished, and whose specious arguments he first held up to the light and then tore to very tatters.

"The public mind got very excited on the subject, and at the close of the second day's debate was in a great ferment. A petition against Fairbairn's project was sent in, signed by about twenty of the larger property men in Cape Town, Dutch and English, and it was evident that my 'contemporary' had greatly damaged himself in public estimation. I had occasion to express my opinions several times in the course of the debate, and they seem to have given so much satisfaction that it may be doubted whether, in the event of another election just now, I should not command as many votes even in Cape Town as Fairbairn himself! Your friend Reitz is a mere tool in the hands of the crafty and unscrupulous trio. He has never given a single vote contrary to their views, and goes through thick and thin with them.

"In spite of all this difference of opinion, I am gradually trampling down opposition and subduing bad feeling. My temper has been maintained unruffled, and even the Baronet, near whom I sit — only Reitz being between us — condescends to smile graciously upon me, and even to consult me upon points in which he is deficient of information. Brand and Reitz are very friendly, but Fairbairn still keeps aloof, and you may depend I shall not move a single step to one side or the other, either to court his smile, or acquire his good opinion. I am, however, more than ever convinced of the importance of the Eastern Province being represented in this Council.

"The clique have tried hard to throw the preponderance of power into the scale of the Western districts, or rather of Cape Town. But this we have resisted, and with success. We are to have forty-six members for the Lower House, twenty-two of which are to be from the Eastern, and twenty-four from the Western districts—a small majority which we could not refuse, considering the density of the population of this city. But in the Upper Chamber the two provinces are placed on a perfect level, eleven

electoral divisions being apportioned to each. We have *carried* that the qualification for the Upper House shall be £2000 of unincumbered fixed property, or if incumbered, then fixed property to the same amount, and unfixd property, free of all debts, to the amount of £4000. We have also carried that the qualified age for the Upper House shall be thirty years, and its duration ten years, half the members to go out at the expiration of every fifth year. The only point the clique has carried has been the franchise for the Upper House, which is to be the same as for the Lower—namely, occupation of landed property for the previous twelve months of the value of £25. I proposed, in opposition to this, that the qualification for the elector of the Upper Chamber should be occupation of property of the value of £100, but the Attorney-General and Mr. Field voted against my amendment, and it was consequently lost by a majority of *one*.

"I am perfectly at my ease here, my quarters are excellent, and the other inmates of the house most gentlemanly, agreeable men. We are perfectly free to act as inclination prompts. An excellent table is kept, of which we can either avail ourselves or not as we think proper. Sir Harry and all the officials have treated me with marked and distinguished attention. My table is covered with cards of gentlemen who have done me the honour to leave them, while several letters of introduction I brought with me have not been as yet delivered, being retained from a feeling that I would rather make my way myself than be assisted by any extraneous aid of this character.

"My old friend—I may say teacher—Rivers was quite delighted to see me, and my reception by Mrs. R. at Green Point, whither I went out to breakfast, was that of a near relative rather than a humble stranger. We dined at Government House on Friday, my fair partner to the 'banqueting hall' being Mrs. McLeay (I am not sure of the orthography), whom I had the honour of seating next to Sir Harry himself. I need add nothing more to this long and prosy epistle, except to say I remain,

"Yours most truly,

"R. GODLONTON."

“Cape Town, 26th September, 1850.

“MY DEAR SOUTHEY,—You will see enough in the public prints to gather from them our position. Fairbairn and his clique stand now in full relief as a dangerous factor, destructive to British interests, and ruinous to the property of the country. I have so much to say that I scarcely know where to begin—and preparatory to all, you must not put implicit faith in the published reports of our proceedings, as the *honest* reporters of Cape Town swell all that makes on their own side, and pare down and mutilate all that makes against them. The Faction evidently intended to quarrel and back out from the very outset. They took ground on the nomination question, but there they were baffled. Then they tried it on the subject of qualification of members of the Upper House, but that would not do; public opinion set dead in against them, and hence they waited for the estimates. Sir Harry kept his temper admirably, and accepted their resignation with the best grace imaginable.

“On the resignation of the clique there was a good deal of noise and clamour, a large packed *Dutch* party being present, and these were disposed to be rather uproarious; but still, by facing them calmly and steadily, all went off quietly. I drew up, early the following morning, twelve reasons for consenting to go into the estimates, and these, though they cannot be entered on the minutes of the Council, will go home with the Governor's despatches, and be published in *The Grahamstown Journal*. You will see by the *Gazette* what we have been about in the interim.

“Stockenström and Fairbairn are, it is said, to be sent home, and I have been urging that Montagu should be sent there at the same time. The Governor thought at first of moving his Executive either to Uitenhage or Grahamstown, and recruiting in the Eastern Province, but Porter overruled this, and hence all public business, improvements, etc., are postponed *sine die*. This being the case, my labours here are nearly at an end, and I am now considering what route I shall take home. Cock has made up his mind to be off with the steamer on Tuesday. I am at present loth to go home without seeing the country which lies between this and Grahamstown. Bailey has been here, and has given me a kind invitation to spend a day or two with him, promising to put me forward. Bain has also sent me an invitation. Cock tries to deter me, but at present I am strongly inclined to

take you in the way and have a long chat with you in Swellendam.

"I have a great deal to say, but cannot find *time* to commit it to paper. I am treated here with great distinction, and would I but consent to remain, have before me the most flattering prospects ; but I am a frontier man, and with the frontier people must either stand or fall.

"Yours most truly,

"R. GODLONTON."

At the end of 1849 Mr. Southey was appointed Civil Commissioner and Resident Magistrate of Swellendam, one of the oldest and most important divisions of the Colony, then including Ladysmith, Riversdale, and Robertson. Here for some time he led a life of peace under his own vine and fig trees, among the shady bowers and beautiful gardens of the town of Swellendam. But while holding this office, the Kafir War of 1850-2 broke out, and Mr. Southey bestirred himself to assist his beloved friend and chief Sir Harry Smith. So energetic and successful were his endeavours to enrol natives, act for the Commissariat Department, and co-operate generally, that at the termination of the war he deservedly received the best thanks of the Government.

The correspondence of this time presents no salient features of interest, with the exception of the following letter:—

"King William's Town, 1st September, 1851.

"MY DEAR SOUTHEY,—Montagu will be with you in a day or two after you receive this, and I wish you to be so good as to accompany him to Cape Town. Lady S. will put you up. Go to your old workshop and send me copies of every document which bears *my signature* or has my authority through you or Garvock from the day we first began to work on Sovereignty matters. The French missionaries have drawn out a document, and a copy has been sent to me, to prove that my Proclamation of the Sovereignty has caused nothing but strife and dissension ; and nothing more so than the boundary-line, which they and Moshesh condemn, although on 10th March, 1846, a petition

was signed by all the chiefs, Moshesh of the number, praying the then Governor to establish general limits. The missionaries also state that the carrying out this obnoxious measure was most wantonly done, and that a brother of Moshesh and 100 villagers were taken from under his jurisdiction, etc. Now, when we were at Winburg with Moshesh, the *first* as well as the *second* time, you well know how he approved of the establishment of Her Majesty's paramount authority—the document he wrote me, my reply, and something about Molitsani. Casallis then spoke to me requesting my interference with the Boers on the Mooi River—who were usurping the lands of Moshesh's subjects—and my restraint upon them. Take care I get copies of every document from the beginning. My letters, yours, Garvock's—which you will find in our letter-books. Montagu will assist in the copying part. Garvock will send you copy of the blessed missionaries' statement; you will see they avoid all mention of the first cause of quarrel—Sikonyella burning the missionary station of Umpakani, etc. The plunder of Moroko's people because he aided the British Government; Moshesh's acknowledgment of the crime by tendering horses and cattle in restitution, but not enough—hence Moroko rejected. The crime committed by Moshesh's people was however acknowledged; nor do the missionaries state that Moshesh has been intriguing with Kreli and Sandilli—encouraging Morosi and the Tambookies in war, etc. Pray Southey take *great* pains to furnish me with all this information. Your expenses on the journey shall be repaid you.

“Faithfully,

“H. G. SMITH.”

The copies of these documents were duly made and sent, accompanied by a memo from Mr. Southey, in which he rebuts the statements and claims of the missionaries.

The two powerful chiefs in South Africa were Moshesh in Basutoland and Kreli on the eastern frontier of the Cape Colony. The first was considered to be indirectly implicated in the Kafir War of 1850–2, but Kreli was correctly styled “the great promoter of hostilities.” Among the papers of Mr. Southey is a “Memorandum,” not only bearing reference

to Kreli, but traversing extensive ground connected with native affairs. The document is one of those valuable *Memoires pour servir* which should be published in its entirety.*

The Kafir War of 1850, in which Mr. Southey was specially interested, must be referred to. As has been said, he assisted as Civil Commissioner of Swellendam in sending forward levies; and the result of operations affected greatly his own future career as well as that of Sir Harry Smith.

Sandilli, Chief of the Gaikas, felt that his power was diminishing, and, in order to regain influence and authority, suborned a witch doctor named Umlangeni to stir up the people to war by predictions and other artifices. Unfortunately, the Governor had not Mr. Southey at his side when he left Kaffraria in November, 1850, convinced "that the country was in a state of perfect tranquillity," and that the crisis of an attempt "to establish arbitrary power by the Chiefs has passed most happily." In December war broke out, and there were only 1435 regular troops to resist the enemy. A force of 600 of our men were severely handled in the Booma Pass, and on the Debe flats an escort, consisting of a sergeant and fourteen men, were killed. Worst of all, in the military villages of Johannesburg, Woburn, and Auckland woeful acts of slaughter and pillage took place on Christmas Day. At the same time the Governor was shut up in Fort Cox, and was forced to gallop for his life to King Williamstown, losing two officers and twenty men, and leaving one gun behind. Previously he had fought for victory—on this occasion he had to struggle for his life. But the vigour and energy of this brave man were conspicuously shown by the manner in which, at the head of 250 Riflemen, he forced a passage through dense masses of the enemy.

The Kafir Police, 365 strong, went over to Sandilli, and

* This will be found in Appendix B.

he was also joined by Hermanus and the Hottentots of Kat River. Extensive desertions took place from the Cape Corps Regiment, and a panic existed throughout the Colony. To the northward, in an attack upon the Tambookies at the Wittebergen, the Colonial party was obliged to retire with loss; Whittlesea was twelve times furiously assaulted, and Forts Hare and Brown were attacked. All this completely justified the Governor, first in calling out the Eastern Burghers *en masse*, and then in appealing for support to the Western Yeomanry, while at the same time he asked the Imperial Government to send two additional regiments to the Colony. His force on the 1st May, 1851, had increased to 9500 men, including 6th Foot, Royal Artillery, Royal Engineers, 45th, 73rd, and 91st Regiments, as well as a remnant of the Cape Mounted Rifles, a Fingoe levy, and a number of undisciplined Burghers.

Disturbed in the Amatola mountains, the Kafirs now invaded the Colony, and within six weeks carried off 5000 cattle and 20,000 sheep, besides burning 200 farmhouses. The public roads were quite unsafe. Troops had to disperse armed bands in the forests, while the Great Fish River jungle and the guerilla efforts of the enemy, assisted by their intimate knowledge of the country, proved extremely embarrassing. The 2nd Queen's, 74th Regiment, and Lancers arrived from England, but more men were still required and demanded. The Waterkloof was cleared and operations commenced against Kreli. It must have been extremely galling to Sir Harry Smith to be told at this juncture by the Secretary of State (Earl Grey)—

“It is with great concern I have received intelligence that much less progress has been made than I hoped towards the subjugation of the Kafirs, and that they had inflicted such severe injury on the Colonials.”

England never seems adequately to grasp the idea of the greatness of areas in South Africa. Sir Harry Smith pointed

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out the vast extent of the country in which he had to operate, and the fact that the insurgents were from 10,000 to 20,000 strong. The troops had done wonderfully well. They had rested scarcely a single day, and, so long as the insurgents had held together in large numbers, had defeated them on forty-five different occasions between 24th December, 1850, and 21st October, 1851. Above all things, the force at the General's disposal was not adequate.

In 1852 General Somerset took 20,000 head of cattle from the natives, and they were defeated on several occasions, although a sad reverse took place at Waterkloof on the 7th March, when a party of British troops, 500 strong, were attacked successfully by 3000 Kafirs. The wreck of the steamer *Birkenhead* on the 26th February, when 413 of our men were lost, was another blow.

The taxpayers of England had become exceedingly impatient at the burdens imposed upon them by this "expensive Kafir War," and accordingly, on the 14th January, 1852, Earl Grey complained that, although the force placed at the disposal of Sir Harry Smith had been very considerably increased, no real advantages were gained; the losses of our troops were heavy, and their successes barren. That the Governor was gravely in error when he expressed assurances before the war that there was no real danger, and very ill-advised not to deal more promptly and severely with the rebel Hottentots. Indeed, had His Excellency's "military operations been less complicated by political difficulties, he would have achieved the same success by which he had been formerly so much distinguished." *

Mr. Southey naturally felt the recall of Sir Harry Smith as a blow to himself, although he had reached a secure official haven in Swellendam. Feelings of friendship and

* For this period of history see Wilmot and Chase's "History of the Cape Colony," p. 453. Mr. Chase had been Private Secretary to Sir Harry Smith.

gratitude caused him sincerely to sympathize with the Governor, and say farewell with great regret. A distinguished soldier, who eventually gave his life for his country in the Crimea, Lieut.-General Sir George Cathcart, was appointed to succeed Sir Harry Smith, and, for the purpose of civil administration in the Cape Colony, Mr. C. H. Darling was appointed Lieut.-Governor, and stationed in Cape Town. Decisive and successful operations brought the war to an end in 1853, although we had to deplore the victory gained by Moshesh at the battle of the Berea.

The following letter shows how Mr. Southey was called upon to leave Swellendam and go to Cape Town :—

“ *Private.*

“ Woodstock, 3rd April, 1852.

“ MY DEAR SOUTHEY,—My health is breaking up so fast that I am obliged to go away for eighteen months to England as soon as Lieut.-Governor Darling is sufficiently settled in his new office to spare me. I have spoken to him and to General Cathcart, and I shall have my leave from 1st July at all events, and most probably from 1st June next; and there will be no difficulty in your acting for me on half salary (£750, and £200 the half of your own as C.C. Swellendam) if you are still disposed to undertake it; but I will not propose you officially until you answer this note. Having talked the matter over with you so fully in September last, I need not more particularly refer to the subject than again to assure you that I would rather have you as *locum tenens* than any other man in the Colony, because I feel confidently that you will do the duty efficiently, with honesty and a singleness of purpose, for the best interests of the Colony.

“ Yours sincerely,

“ JOHN MONTAGU.”

Mr. Southey was appointed Acting Secretary to Government in due course, and at this stage of his biography it seems desirable to consider the constitutional position of the Cape Colony. A demand for representative institutions can be traced back for many years, and there is no doubt that

the successful anti-convict agitation of 1849 did much to hasten their advent. Sir Charles Adderley tells us ("Colonial Policy," p. 3) that the normal current of Colonial history is perpetual assertion of the right of self-government. Certainly the statement was exemplified in the Cape Colony. However, until the year 1854 the constituted Government comprised an Executive Council and a Legislative Council, both appointed by the Crown. The former was composed of the principal officials, while the latter comprised thirteen members, seven of whom sat by virtue of the offices they held (Secretary to Government, Attorney-General, etc.), while six unofficial members were appointed by the Crown, on the recommendation of the Governor. All held their seats during pleasure.

Unfortunately the Lieutenant-Governor was a difficult man to please. His relations with Mr. Montagu had become straitened previous to the departure of that gentleman for England, and we cannot wonder that Mr. Southey was looked upon with some measure of suspicion and dislike, because he was the man upon whom Mr. Montagu had thrown his mantle. There was a good deal of the autocrat about Mr. Darling. An advertisement about a harmless political meeting elicits the following :—

"Confidential.

"MEMORANDUM.

"I perceive that there is to be a public meeting to-day on the subject of the Constitution. I should be glad if steps were taken by the Resident Magistrate or Chief of Police to ascertain by what number of persons it may be attended, and by what classes, and who are the best known and principal citizens and inhabitants who may take a part in it.

"I should be glad, also, if it could be ascertained how many Municipal Commissioners were present when the resolution respecting Mr. Montagu was passed, and who they were. Has the Government a right by law to call for the records of the proceedings of the Municipality ?

"C. H. D.

"7th October, 1852.

"The Honourable the Secretary of Government."

At a very early stage Mr. Southey found this autocratic Lieutenant - Governor exceedingly unpleasant. However, Sir Harry Smith says of him in a letter from England—

“Belmont House, Havant, 30th October, 1852.

“I am glad to see the Lieutenant-Governor gets on so steadily and well. He struck me as a business-like man, with good common sense—the best of all ability.”

Mr. Montagu writes from London on 23rd November, 1852—

“I have entered so fully into the misunderstanding between you and Darling, that I have nothing more to add.”

He goes on to say—

“What a donkey Darling made of himself in the matter of subscriptions for assisting burghers to join the Kei expedition! His game to be popular will trip him nicely before he has done with it, or his town-house friends and their friends are not such scamps as I believe them to be.”

He goes on to animadvert severely upon Mr. Hope, Auditor-General, and, anticipating the completion of Bain's Kloof, refers to the “Seven Weeks' Poort.” He concludes by saying—

“It is very pleasing to me to know that all the clerks work so well with you, and that, as far as the office itself is concerned, everything is going on so smoothly and to your satisfaction. Had it not been for this unfortunate affair with Darling, everything around you would have been cheering. John will tell you what I am doing to try to get you confirmed permanently, upon my getting another appointment.”

In a letter from Mr. Southey to Sir George Cathcart dated 13th January, 1853, he appeals from the decision of Lieutenant-Governor Darling suspending him from office. He says—

“I have as yet received no direct or formal letter apprising me of my actual removal from office, but I have, by a letter of

yesterday's date, requested His Honour to be pleased to furnish me with the specific grounds or charges upon which the suspension is founded. I gather from the previous correspondence that the only ground upon which His Honour was about to take this step was that I had not, when, advising as a Member of the Executive Council on certain charges, preferred by His Honour against Mr. J. E. Montagu, Chief Clerk in the Colonial Office, apprised His Honour of my knowledge that he (Mr. Montagu), while acting as Clerk of the Council, had transmitted copies of certain minutes to the Secretary to Government (Mr. Montagu), absent on leave in England. I trust I have sufficiently explained (for your Excellency's information) in my letter to the Lieutenant-Governor that I had not, any more than had Mr. J. E. Montagu, the slightest suspicion that any impropriety attached to the act which I am accused of concealing."

The charges at that time preferred against Mr. J. E. Montagu, and then under the consideration of the Council, were to this effect—

"1st. That in a letter to your Excellency, he had misrepresented facts for his own pecuniary ends.

"2nd. That in disobedience to the Lieutenant-Governor's instructions, and in violation of the secret and confidential nature of his duties as Acting Clerk of the Council, he had entrusted the current volume of the Executive Council Records to a person not a member of that body, and allowed him to transcribe therein the minutes of the Council.

"I am at a loss," Mr. Southey goes on to say, "to perceive how the fact of his having transmitted copies of Minutes to the Secretary to Government, himself a Member of the Executive Council, although temporarily absent from his office, either related to, or in any way could affect, the charges then preferred against Mr. J. E. Montagu. In the absence of any intimation from the Lieutenant-Governor to the contrary, I had regarded a compliance with Mr. Montagu's expressed wish to be kept informed of passing events connected with his office during his absence as perfectly privileged and involving no impropriety."

Of the same date as the above letter, 13th January, 1853, a notice appears in the *Government Gazette*, signed by

"Elliot Salter, Private Secretary," stating that the Lieutenant-Governor

"has been pleased to appoint the Honourable Wm. Hope, Auditor of Public Accounts, to act as Secretary to Government until the pleasure of His Excellency the Governor be known, in the room of Richard Southey, Esquire, whom His Honour has felt it his duty to suspend from office."

The appeal to a Governor in the field (Lieut.-General Sir G. Cathcart) was unavailing. There is an interesting letter dated "4 o'clock, Saturday," from Mr. John E. Montagu to Mr. Southey, at Swellendam, in which he says—

"Your suspension is confirmed. Now, it is all important that you should go by *this* steamer, which leaves on Monday. It is said she will leave at 12 o'clock. Bayley and all your friends think that you should come down by express *immediately* you receive this, and if you make great haste you will be in time. Depend upon it, it is most important that you should get home by the *Indiana*, as it will look odd if the Home Government receive the Governor's approval of your suspension, and you don't make your appearance at the same time, or some representation from you. I entreat you to come *as soon as you receive this*. In anticipation of your doing so, I have written to Linde to have a cart and horses ready to bring you on. I do hope that you will see the necessity of at once coming, and by riding hard you may be in time. Your case depends upon your going home by this mail. I shall expect to see you by 10 o'clock on Monday.

"Yours sincerely,

"JOHN E. MONTAGU."

This letter was evidently sent by hand, and is addressed on the outside—"Immediate, Richard Southey, Esq., Swellendam."

The man who had successfully served under the swift-moving and impetuous Sir Harry Smith, lost no time on the road, embarked in the mail steamer, reached England in due course, and immediately laid his appeal before the Secretary of State for the Colonies. The following little memo, written

forty years after this voyage, refers to the steamers and voyages of 1853 :—

“Reminiscences of a Voyage from the Cape to England and back by Mail Steamer about Forty Years ago.

“At the time referred to the mail service between this Colony and England was performed by a Company denominated ‘The General Screw Company,’ the mails being carried once a month each way, and the time allowed from here to England, or from England to this, was, if my memory is correct, thirty-eight days. The Company’s ships conveyed mails also between England and India, the Australian Colonies, etc., so this was but a halting-place for delivering and taking in passengers, mails, and merchandise, the ships being delayed in Table Bay only so long as needful for those purposes ; and if outward bound to India, proceeded, *via* Mauritius and Ceylon, to Calcutta ; or if to Australia, proceeded in that direction ; if homeward bound, they had to call at St. Helena, Ascension, and the Island of St. Vincent (Cape de Verde), and were allowed a certain fixed time for detention at each of those places—six hours at each of the two first named, and three days at St. Vincent for taking in coal and water. In those days the mail service was subject to the supervision of the Admiralty, and it was customary to have a naval officer on board each ship to see that the terms of the contract were duly observed.

“R. SOUTHEY.”

Some months were occupied in pleading his case, and then, as might have been expected, his suspension from office was reversed. The despatch from the Secretary of State for the Colonies to the Governor of the Cape of Good Hope is as follows :—

“[No. 60.]

“Downing Street, 10th May, 1853.

“SIR,—

“1. I have to acknowledge Lieutenant-Governor Darling’s despatches of the numbers and dates noted in the margin, reporting the suspension from his office of Mr. Richard Southey, Acting Secretary to Government, relating the particulars of

No. 11,
22nd Jan.,
1853.

